

Docket No.: 50108-028

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter claimed and for which a patent is sought on the invention entitled MOBILE STATION INTERNET MESSAGING, the specification of which

☒ is attached hereto.

☐ was filed on _____ as Application Serial No. _____ and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known to me to be material to patentability in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Applications(s):

Number	Country	Day/Month/Year filed	Priority Claimed
			<input type="checkbox"/>
			<input type="checkbox"/>

I hereby claim the benefit under 35 USC §119(e) of any United States provisional application(s) listed below.

Prior Provisional Application(s):

Application Number	Filing Date
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I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. Application(s):

Serial No.	Filing Date	Status: Patented, Pending, Abandoned
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorney(s) and/or agent(s): Stephen A. Becker, Reg. No. 26,527; John G. Bisbikis, Reg. No. 37,095; Christopher D. Bright, Reg. No. 46,578; Daniel Bucca, Reg. No. 42,368; Kenneth L. Cage, Reg. No. 26,151; Stephen C. Carlson, Reg. No. 39,929; Jennifer Chen, Reg. No. 42,404; Bernard P. Codd, Reg. No. 46,429; Thomas A. Corrado, Reg. No. 42,439; Lawrence T. Cullen, Reg. No. 44,489; Paul Devinsky, Reg. No. 28,553; Margaret M. Duncan, Reg. No. 30,879; Ramyar M. Farid, Reg. No. 46,692; Brian E. Ferguson, Reg. No. 36,801; Michael E. Fogarty, Reg. No. 36,139; John R. Fuisz, Reg. No. 37,327; Willem F. Gadiano, Reg. No. 37,136; Keith E. George, Reg. No. 34,111; Matthew V. Grumblin, Reg. No. 44,427; John A. Hankins, Reg. No. 32,029; Joseph Hyosuk Kim, Reg. No. 41,425; Eric J. Kraus, Reg. No. 36,190; Catherine Krupka, Reg. No. 46,227; Jack Q. Lever, Reg. No. 28,149; Raphael V. Lupo, Reg. No. 28,363; Michael A. Messina, Reg. No. 33,424; Dawn L. Palmer, Reg. No. 41,238; Joseph H. Paquin, Jr., Reg. No. 31,647; Scott D. Paul, Reg. No. 42,984; William D. Pegg, Reg. No. 42,988; Robert L. Price, Reg. No. 22,685; Thomas D. Robbins, Reg. No. 43,669; Gene Z. Robinson, Reg. No. 33,351; Joy Ann G. Serauskas, Reg. No. 27,952; Daniel H. Sherr, Reg. No. 46,425; David A. Spenard, Reg. No. 37,449; Arthur J. Steiner, Reg. No. 26,106; David L. Stewart, Reg. No. 37,578; Wesley Strickland, Reg. No. 44,363; Michael D. Switzer, Reg. No. 39,552; Leonid D. Thenor, Reg. No. 39,397; Daniel S. Trainor, Reg. No. 43,959; Cameron K. Weiffenbach, Reg. No. 44,488; Aaron Weisstuch, Reg. No. 41,557; Edward J. Wise, Reg. No. 34,523; Alexander V. Yampolsky, Reg. No. 36,324; and Robert W. Zelnick, Reg. No. 36,976 all of

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with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all future correspondence should be addressed to them.

Full name of sole or first inventor: Bruce CIOTTA

Inventor's signature: *Bruce Ciotta*

Date: 10/17/00

Residence: Bridgewater, New Jersey 08807

Citizenship: United States

Post Office Address: 281 Riverview Drive, Bridgewater, New Jersey 08807

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Bruce CIOTTA

Filed: October 25, 2000

For: MOBILE STATION INTERNET MESSAGING

DECLARATION UNDER 37 CFR §1.131

Honorable Commissioner of
Patents and Trademarks
Washington, D. C. 20231

Sir:

1. I, Keith E. George, have been employed continuously as an attorney of the firm Lowe, Price, LeBlanc & Becker and its successor firm McDermott, Will & Emery since 1990.

2. During the later part of my term of employment I have represented Bell Atlantic Mobile and its successor firm Verizon Wireless, the assignee of the above-identified patent application, in matters regarding preparation and prosecution of patent applications.

3. I received a set of papers from Bell Atlantic Mobile, now Verizon Wireless, prior to June 21, 2000. This set of papers included proposed corrections to an unrelated Bell Atlantic Mobile case (p. 02/04). However, the papers also included a text description of

"ISP to Short Message Service Process" (p.03/04) and a related drawing sheet (p. 04/04).

See Exhibit A, dates are redacted. The redacted dates are prior to June 21, 2000.

4. Prior to June 21, 2000 I met with inventor Bruce Ciotta, during which meeting Mr. Ciotta disclosed and discussed the subject matter that I subsequently provided to other personnel of my firm for the preparation and completion of a draft patent application. Exhibit B contains a drawing, with the date redacted, rendered during the meeting with Mr. Ciotta. The redacted date is earlier than June 21, 2000.


5. I advised and/or supervised the personnel writing first draft patent application subsequent to the meeting with Mr. Ciotta, noted in paragraph 4. I signed a letter forwarding the draft patent application to Mr. Ciotta prior to June 21, 2000. Exhibit C contains a copy of the forwarding letter with the date redacted. The redacted date is prior to June 21, 2000. Exhibit D is a copy of the draft application forwarded prior to June 21, 2000 to Mr. Ciotta for inventor review.

6. In July of 2000 I met again with Mr. Ciotta to discuss the present patent application. Mr. Ciotta approved the patent application for filing as a provisional application, with only minor editorial changes from the first draft.

7. A provisional application was filed in the Patent and Trademark Office on July 24, 2000.

8. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

Date October 25, 2000



Keith E. George
Registration No. 34,111

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Bruce CIOTTA

Filed: October 25 2000

For: MOBILE STATION INTERNET MESSAGING

DECLARATION UNDER 37 CFR §1.131 and 1.132

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

I, Bruce Ciotta, hereby declare that:

1. I am the inventor of the invention disclosed and claimed in the above-referenced United States patent application.
2. Prior to June 21, 2000, I prepared a summary of my invention and drawings expressing the concept of my invention. A copy with the dates redacted is attached as page 3 and 4 of Exhibit A to the Keith E. George declaration. The redacted dates are prior to June 21, 2000
3. In preparation for a meeting with Keith E. George, a patent attorney at the firm of McDermott, Will & Emery, I transmitted a copy of my invention summary, Exhibit A,

to Mr. George. At the meeting with Mr. George, I disclosed the present invention to enable his firm to begin work preparing a patent application regarding my invention.

4. Subsequent to my meeting with Mr. George, and previous to June 21, 2000, I discussed the subject matter of the present invention with representatives from Lucent Technologies in what I believed to be a confidential conversation. The conversation with the Lucent Technologies representatives was a routine part of my job as a member of the Technical Staff of Bell Atlantic NYNEX Mobile, Inc., now VERIZON WIRELESS. Before discussing the present invention, I expressly stated that I was applying for a U.S. patent. The Lucent Technologies representatives acknowledged my statement regarding filing a patent application covering the subject matter disclosed by me.

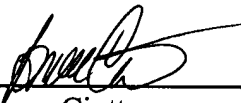
5. Subsequent to my discussion of the present invention with representatives from Lucent Technologies, and before June 21, 2000, I received from McDermott, Will, & Emery a letter and a draft copy of the above-referenced patent application. Reference Exhibits C and D respectively, attached to the Keith E. George declaration. Dates are redacted from the exhibits. The redacted dates are prior to June 21, 2000.

6. On June 21, 2000, Lucent Technologies and TeleCommunication Systems, Inc. jointly made a presentation concerning a new product to Verizon Wireless. A copy of the presentation is rendered in Exhibit E, no dates have been redacted from that copy.

7. Subsequent to the Lucent Technologies/TeleCommunication Systems, Inc. presentation, I met with Keith George to review the above-referenced patent application and gave him some minor comments as to the draft application as well as instructions for filing a provisional application related to the above-referenced United States patent application.

8. I further declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statement may jeopardize the validity of the application or any patent issuing thereon.

10/13/00
Date


Bruce Ciotta